'Keeping Families Together'

A Proposed Participatory Model for Strengthening the Design and Implementation of Policy and Programming to Prevent the Unnecessary Separation of Children from Families

INTRODUCTION

1. A child's right not to be separated from their parents unless it is in their best interest is set out in Articles 7 and 9 of the United Nations Convention on the Rights of the Child (CRC)[1], whilst government's duties to prevent the need for alternative care through the provision of family support and services are detailed in Article 18 of the CRC and Section IV of the UN Guidelines for the Alternative Care of Children[2].

2. This submission will focus on these two closely connected rights: the right of children to be cared for by their parents and the responsibility of states and development partners to design and implement policy and programming that supports families at risk to provide adequate care and prevent unnecessary separation. This focus is not to undermine the importance of realising children's rights across the full ambit of alternative care, but to highlight aspects that risk being underdeveloped.

3. This submission draws on preliminary findings from multi-stakeholder research being conducted in Cambodia by Friends-International, Durham University and The Partnership Program for the Protection of Children (3PC) and argues for advancing family support recommendations arising from the United Nations (UN) Guidelines for the Alternative Care of Children, the 2019 UN General Assembly Resolution on the Rights of the Child[3] and the UN Global Study of Children Deprived of Liberty[4] by ensuring the participation of those with lived experience in the design and delivery of policy and services.

4. This report focuses on secondary and tertiary family preservation interventions; primary or universal prevention interventions (i.e. those targeted to the community at large) are not included. Secondary prevention interventions target individuals and families identified as at risk of family separation and tertiary interventions aim at preserving family care following time spent in alternative care[5].

5. As requested in the call for information, where relevant, this submission specifically addresses the following issues:

   a. Strengthening families and preventing the separation of children from families

   b. Designing legislation and policies to protect children's rights and avoid out-of-home placement

   c. Perspectives of persons with lived experience of the system of child protection, family support and alternative care about what high-quality care and support means to them

---

[1] United Nations Convention on the Rights of the Child (1989)
Available at: https://www.unicef.org.uk/what-we-do/un-convention-child-rights/

[2] United Nations Guidelines for the Alternative Care of Children (2010) available at: https://www.refworld.org/docid/4c3acd162.html

[3] United Nations General Assembly (2019) Resolution Adopted by the General Assembly on 18 December 2019
Available at: https://bettercarenetwork.org/sites/default/files/2020-01/A_RES_74_133_E.pdf

[4] United Nations Global Study (2019) Children Deprived of Liberty
Available at: https://www.ohchr.org/EN/HRBodies/CRC/StudyChildrenDeprivedLiberty/Pages/Index.aspx

[5] Cantwell, N. Et al. (2012) Moving Forward:
Implementing the Guidelines for the Alternative Care of Children' Centre for Excellence for Looked After Children in Scotland

CONTEXT

6. On 18 December 2019 the UN General Assembly adopted a resolution emphasizing the importance of growing up in a family environment and calling on states to provide support to families, strengthen child welfare and 'tackle the drivers of the unnecessary separation of children'[6]

7. The UN Global Study on Children Deprived of Liberty was also launched in November 2019, and concluded that, in spite of international legal provisions, 'at present, the majority of states are failing to provide preventative, protective and supportive mechanisms . . . and large numbers of children [are being] separated from their families [unnecessarily][7]. The Global Study recommends that states actively target the causes of children being separated from their families and provide necessary prevention measures through significant investments in family and community based support and services.

8. A key objective of the 2021 Children's Rights and Alternative Care Day of General Discussion is to 'follow up on the 2019 UNGA Resolution on the Rights of the Child' and to 'build on the recommendations on institutions arising from the Global Study on Children Deprived of Liberty', with a desired outcome of the event being a 'programme of action . . . including . . . those at risk of losing parental care'[8]

9. The need for policy and practice that accurately identifies and effectively addresses the root causes of family separation is given added urgency as it can be expected that the socioeconomic impacts of the Covid-19 crisis will affect families on a global scale, and that the number of children at risk of unnecessary separation will increase[9].

10. This submission offers for consideration the 'Problem Structuring' policy design model[10] as a participatory, reflective and yet, pragmatic approach with the potential to contribute to the development of well-targeted and effective family support policy, guidance and programming.

PROBLEM STRUCTURING AND THE PREVENTION OF FAMILY SEPARATION
Conceptual Framework

11. Traditional solution-focussed approaches to policymaking often assume policy problems to have an unambiguous and agreed meaning and therefore we need only inquire into what is the best solution, whilst in practice different people often hold different understandings and interpretations of the same issue.

12. That is to say, 'problems' in the context of public policy are not objective properties of situations but rather actively constructed definitions of reality often put forward by opinionated and invested actors, to be used in claims making and bargaining aimed at getting others to accept them[11].

---

[6] United Nations General Assembly (2019) Resolution Adopted by the General Assembly on 18 December 2019
Available at: https://bettercarenetwork.org/sites/default/files/2020-01/A_RES_74_133_E.pdf

[7] United Nations Global Study (2019) Children Deprived of Liberty
Available at: https://www.ohchr.org/EN/HRBodies/CRC/StudyChildrenDeprivedLiberty/Pages/Index.aspx

[8] 2021 United Nations Children's Rights and Alternative Care Day of General Discussion: Concept Note

[9] Keshri A. (2021) COVID-19 Reminds Us Why We Must Invest More on Family-Based Alternatives for Children.
Institutionalised Children Explorations and Beyond. 2021;8(1):133-140.
Available at: https://journals.sagepub.com/doi/full/10.1177/2349300320970762

[10] Hoppe, R. (2010) The Governance of Problems: Puzzling, Powering & Participation Policy Press
[11] Hoppe, R. (2010) The Governance of Problems: Puzzling, Powering & Participation Policy Press

13. A problem-structuring approach to policy design[12][13] argues that prematurely seeking solutions to problems at the expense of conducting a thorough examination of problem settings from the perspective of different actors often makes rational and linear assumptions about carrying out plans that rarely correspond to the context-specific and contingent realities of policymaking and implementation and risks misdiagnosing the real problem(s).

14. Whilst politicians, civil servants and policy professionals are inclined to logically but over-optimistically argue from available administrative agencies, policies and strategic plans to desired outcomes (forward mapping); designing and implementing well-targeted and robust programs requires that such top-down command-and-control lines of thinking are exposed to sobering bottom-up stories about the real-life experiences of those citizens and street-level bureaucrats most affected by planned policy changes (backward mapping)

15. Only after circling round an issue from several perspectives does one get a better feel for the possibilities and objections around framing a problem in a particular way

16. A Problem Structuring approach to developing policy therefore seeks to develop a fuller descriptive map of the problematic situation by incorporating knowledge about street-level perspectives and the interpretative frames of the various problem owners 'out there'. This knowledge can in part be obtained via statistics and quantitative data, but proactively 'listening to and registering the narratives of stakeholders about their problem perceptions and experiences is the only feasible way to get a [real] feel for the problem'[14]

PREVENTING FAMILY SEPARATION AND REDUCING CHILDREN'S RESIDENTIAL CARE PLACEMENT IN CAMBODIA

17. Unnecessary family separation and an over-reliance on children's residential care is recognized as a problem in Cambodia[15] and the country currently has multiple actors in Government and civil society, internally and externally, aligned in their willingness to progress alternative care reform.

18. According to the National Action Plan For Improving Child Care 2016 - 2018[16], the Royal Government of Cambodia committed to reintegrate 30% of children living in residential care institutions (RCIs) and to reduce the number of RCIs operating by supporting the transition of these institutions to community/family-based programs or closing them if they were not meeting minimum standards. In parallel, the Government and its development partners aimed to 'transform the dominant care model to one that supports families and communities'[17]

---

[12] Grin, J. & Van de Graaf, H. (1996) Implementation as Communicative Action. An Interpretative Understanding of Interactions between Policy Actors and Target Groups Policy Sciences 29(4):291-319

[13] Hoppe, R (2017) Heuristics for Practitioners of Policy Design: Rules of Thumb for Structuring Unstructured Problems Public Policy and Administration Special Issue: Questioning Policy Design pp.1 -25

[14] Hoppe, R. (2017:13) Hoppe, R (2017) Heuristics for Practitioners of Policy Design: Rules of Thumb for Structuring Unstructured Problems Public Policy and Administration Special Issue: Questioning Policy Design pp.1 -25

[15] MoSVY (2017) Mapping of Residential Care Facilities in the Capital and 24 Provinces in Cambodia https://www.unicef.org/cambodia/reports/mapping-residential-care-facilities-capital-and-24-provinces-kingdom-cambodia

[16] MoSVY. (2016) Action Plan for Improving Child Care 2016 – 2018. Available at: https://www.unicef.org/cambodia/reports/action-plan-improving-child-care-target-safely-returning-30-cent-children

[17] MoSVY (2017:10) Mapping of Residential Care Facilities in the Capital and 24 Provinces in Cambodia https://www.unicef.org/cambodia/reports/mapping-residential-care-facilities-capital-and-24-provinces-kingdom-cambodia

19. However, a review of current and forthcoming programming and policy documents suggests that the main focus of this work to date has been on responses and solutions for children already out-of-family-care[18] with a relative dearth of research, policy or proposals looking at preventing family separation in the first place.

20. As the lead ministry for child welfare, the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY) works in partnership with the Ministry of Women's Affairs (MoWA), UNICEF, USAID, and other development partners and networks such as Family Care First and the Partnership Programme for the Protection of Children (3PC) in the implementation of its care reform agenda.

FRIENDS-INTERNATIONAL AND THE PARTNERSHIP PROGRAM FOR THE PROTECTIONS OF CHILDREN (3PC)

21. Established by UNICEF and the Cambodian Government in 2011, and comprising 11 NGO implementing partners and 46 associated agencies across 7 provinces nationally, the Partnership Program for the Protection of Children (3PC) is powered by Friends-International (FI), with the technical support of UNICEF Cambodia under the auspices of the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MoSVY).

22. 3PC works to raise the quality of services and strengthen and improve coordination and collaboration between stakeholders. All 3PC partners work alongside local government units and the network's development, and expansion is based upon ongoing assessment of gaps and existing responses at the sub-national level. Its added value lies in its implementing strength on the ground - reaching 48,967 children, youth and caregivers in 2020[19].

23. 3PC partner organisations share a grounded, reflective and adaptive approach to developing services, and activities are developed, implemented and adapted to meet changing beneficiary needs, external constraints and opportunities.

24. Evidence of 3PC impact in identifying and responding to drivers of family separation at the community and family-level in 2020 include:

   • 17,561 parents and adult caregivers reached
   • 254 children and youth reintegrated back into family-based care
   • Collaboration with 32 orphanages to close or transition to community-based care programs
   • 13,077 people provided with drug and alcohol prevention and support
   • 1,932 people reached through safe migration activities
   • 2,522 youth, parents and caregivers enrolled in vocational training or supported into employment[20]

---

[18] For example, Study on Alternative Care Community Practices (MoSVY, 2018); Draft Guidelines for the Reunification and Reintegration of Children from Residential Care in Cambodia (MoSVY, 2018); Draft National Guidelines on the Procedures for Kinship Care, Foster Care & Domestic Adoption (MoSVY, 2018).
[19] 3PC Annual Data Collection (1 Jan to 31 Dec 2020)
[20] 3PC Annual Data Collection (1 Jan to 31 Dec 2020)

THE 'KEEPING FAMILIES TOGETHER' STUDY[21]

25. The Keeping Families Together study is being undertaken in the context of the Cambodian Government's broader child care reform agenda and is funded by the Economic and Social Research Council (UK). The project is a collaboration between Friends-International, participating NGOs from the 3PC network[22] and James Farley (doctoral researcher, Durham University, UK).

26. International child welfare and social work literature commonly identifies 'poverty' and 'access to education' among the root causes of family separation and RCI placement in Cambodia and other low-income countries[23] but, from a pragmatic policy perspective fails to adequately or empirically structure these problems.

27. The Friends-International-Durham University study aims to fill this gap by generating data from stakeholders at different levels of the Cambodian child welfare policy implementation network in order to reconstruct the multiple framings and understandings of the proximal and structural issues that drive unnecessary family separation.

28. The research adopts a problem structuring methodology and draws on:
   - Analysis of Cambodian child welfare policy and programming documents that reference social work interventions to address core drivers of family separation
   - Interviews and focus group discussions with field social workers and social work managers from both the state and NGO sectors
   - Interviews with parents/caregivers who have previously placed their children in residential care but have now had their children return home

29. Working with multiple accounts in this way allows for the surfacing, analysis and evaluation of competing problem representations and framings, with a view to their possible integration or synthesis into politically and operationally plausible and actionable problem definitions and suggested solutions.

30. A limitation to note is that these preliminary findings examine only targeted child welfare interventions and broader more universal poverty reduction initiatives with the potential to address or mitigate drivers of family separation are not considered here. Further note that the data is at an early stage of analysis, and whilst it is possible to identify major emerging themes, definitive conclusions about the framing of the root causes of family separation held across the Cambodian policy network should not be drawn from this submission.

---

[21] 'Keeping Families Together': A Proposed Participatory Model for Strengthening the Design and Implementation of Policy and Programming to Prevent the Unnecessary Separation of Children from Families Doctoral research project, James Farley, Durham University UK
https://www.ninedtp.ac.uk/james-farley-keeping-families-together-reducing-orphanage-placement-cambodia-problem-structuring-approach-family-preservation-prevention-family-separation-policy/

[22] Mith Samlanh (based in Phnom Penh), Krousar Thmey (Phnom Penh and Kandal) M'lop Tapang (Sihanoukville), Children's Future International (Battambang) and Kaliyan Mith (Siem Reap)

[23] MoSVY (2011) With the Best Intentions: A Study of Attitudes towards Residential Care in Cambodia
https://resourcecentre.savethechildren.net/library/study-attitudes-towards-residential-care-cambodia

31. To refine our understanding of state and development partner's framings of family separation at the policy design level a qualitative document analysis was conducted. This analysis purposively sampled child welfare policy and programming documents that reference social work interventions targeting commonly identified core drivers of family separation[24]. The selected documents included legislation, strategic and country-level action plans and the performance management tools of donors and implementing NGOs.

32. A key finding of this documentary analysis was that whilst the last two decades have undoubtedly seen good progress in the fields of deinstitutionalisation and alternative care, specific measures to prevent family separation through targeted community and family-level support services have received limited attention in Cambodian child welfare policy to date.

33. Additionally, within the limited policy-level provision to date the document analysis revealed an emphasis on individualized behaviour change activities to reduce violence against children, improve parenting capacity and counter positive community attitudes towards children's residential care, whilst measures seeking to address the socioeconomic effects of more structural issues through, for example, employment support, household-economic strengthening and safe migration received the least attention.

34. Overall, the frameworks set out in the policy and strategic planning documents indicate a top-down approach to the design of childcare reform, with little evidence of policy and programming being informed by the Cambodian context or the views and experiences of front-line staff and families.

35. Qualitative data to extend our understanding of the framing of family separation from the perspectives of policy implementers and the policy target group was generated via interviews with government and NGO social workers and parents/caregivers with lived experience of placing children in orphanages. Interviews were conducted in late 2020, and whilst caution should be exercised in generalizing from the preliminary findings presented here, these discussions primarily elicited family separation narratives dominated by stories of low income, debt and labour migration. Issues that have been insufficiently addressed in alternative care and deinstitutionalisation programming to date.

---

[24] Namely, poverty, access to education, family crisis, migration, abuse/violence, children with disabilities, substance misuse, conflict with law and positive community attitudes towards residential care.

CONCLUSION

36. The preliminary findings from the Cambodian study suggest current child welfare policy and programming documents pay limited attention to family preservation services overall, instead prioritizing child protection, deinstitutionalisation and post-family separation aspects of alternative care. Furthermore, when core drivers of family separation are addressed at the policy and strategic-level, provision often takes the form of individualized responses to violence against children and parenting capacity rather than engaging with the more structural socio-economic concerns raised by families and front line staff relating to livelihoods, debt and the impacts of migration on family life in Cambodia.

37. These provisional results suggest significant differences between perceptions of the core drivers of family separation at the policy and programming level with those of policy implementers, parents and caregivers. This lack of congruence between the understandings of actors at different levels of a policy network is likely to have implications for policy implementation and the achievement of desired outcomes.

RECOMMENDATIONS

38. In setting out desirable orientations for policy and practice the UN Committee on the Rights of the Child has been a spur to progress in the field of alternative care for children outside of family care over the past two decades. In preparing the report of the 2021 Day of General Discussion, we request the committee to:

- Recognise the benefits of widening the range of participants involved in the development and design of policy and programming for children at risk of separation.
- Support the recommendations of the UN Guidelines for the Alternative Care of Children, the 2019 UN General Assembly Resolution on Child Rights and the Global Study on Children Deprived of Liberty by preparing a set of international evidence-based standards to guide the development and provision of preventative and protective community-based services that support families and prevent their unnecessary separation.

For more information on Friends-International, 3PC or the
Keeping Families Together study please do not hesitate to contact us
at kirsty@friends-international.org or paul.j.farley@durham.ac.uk